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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/716,018	09/19/96	ANDERSON E	P1947/JAS-59

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LM11/0618

EXAMINER
VU, N

ART UNIT	PAPER NUMBER
2712	5

DATE MAILED: 06/18/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/716, 018

Applicant(s)

Anderson

Examiner

N. Vu

Group Art Unit

2712

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 3/9/98.
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1, 3-8, 10-18 ~~is/are~~ pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1, 3-8 and 10-18 ~~is/are~~ rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_.

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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***Response to Amendment***

1. The amendments, filed on 3/9/98, have been entered and made of record. In view of Applicant's amendments to the disclosure, the objection of the title and the disclosure is withdrawn.

***Specification***

2. The disclosure is objected to because of the following informalities: on line 1 of page 14, change "JPEG data 462" to --JPEG data 464--..

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 3-8, 10-14, 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schelling et al. (US #5,706,097) in view of Wakui (US #5,742,339).

Claim 8 will be discussed first. Regarding claim 8, in figure 3 Schelling discloses a system for displaying a series of images captured by a digital camera, the system comprising means for storing each one of the captured images, each one of the captured images having one or more media types associated therewith (Figs. 1, 3 & 4, CD ROM 32 and PCMCIA card 46; col. 2 line 43 to col. 4 line 21); means for displaying a plurality of image cells, each of the image cells

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corresponding to one of the captured images (Fig. 1, index images 12, 14, 16 and 18), wherein at least one of the image cells including an image area for displaying the corresponding captured image (Fig. 1, subject matter descriptors 13, 15 & 17), and icon area for displaying additional information regarding the corresponding image (Fig. 1, index codes 20 & 24 and type indicators 22, 26, 28 and 30); means for displaying graphical icons in the icon area indicating the media types associated with the captured image (Figs. 1, 4 & 5.) Claim 1 differs from Schelling in that the claim requires the plurality of image cells are displayed in a view finder of the digital camera. This feature is shown in Wakui.

In the same field of endeavor, Wakui discloses a digital camera that includes a view finder (Fig. 1, LCD 12), and a memory for storing a series of images captured by the camera (Fig. 1B, memories 7, 20 & 31.) To facilitate the selection process of desired images, Wakui shows in figures 4 and 6 that a plurality of captured images can be displayed on the LCD monitor 12 at the same time. Thus, it would have been obvious to one of ordinary skilled in the art to modify the digital camera shown in Schelling by providing a view finder having a plurality of image cells, as taught by Wakui, so as to simultaneously display a plurality of images for viewing and selecting by an operator.

Regarding claim 17, Schelling, as modified by Wakui, discloses that the plurality of media types includes a still image, a movie clip and sound (Schelling, col. 2 line 43 to col. 4 line 21.) Although Schelling and Wakui do not explicitly disclose that the plurality of media types includes a burst image, a time lapse image and a panorama image, it would have been obvious to include

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the additional media types so as to convey additional information about the captured images to the operator.

Regarding claims 10 and 12, Schelling, as modified by Wakui, discloses that each of the captured images are stored in a file format that includes compressed image data, thumbnail image data, and information indicating the associated media types (Schelling, col. 2 line 43 to col. 4 line 21; Wakui, col. 8 lines 1-60.)

Regarding claim 11, Schelling, as modified by Wakui, discloses that the captured image is displayed in the at least one image cell by displaying the thumb nail image data from the respective file format (Schelling, Fig. 4.)

Regarding claim 13, Schelling, as modified by Wakui, discloses that text is displayed in the icon area of the at least one image cell corresponding to the media type information stored in the file format (Schelling, Fig. 4, col. 4 lines 8-20.)

Regarding claim 14, Schelling, as modified by Wakui, discloses the storing of multiple images in a multiple media type file format, the multiple media type file format including a plurality of file formats for each of the multiple images (Schelling, col. 2 line 43 to col. 4 line 21), and a header for pointing to each of the file formats (Schelling, col. 1 line 58 to col. 2 line 14; col. 2 lines 43-67; col. 3 lines 7-18.)

Regarding claims 1, 16 and 3-7, they are method claims corresponding to the apparatus claims 8, 17 and 10-14, respectively. Therefore, claims 1, 16 and 3-7 are analyzed as previously discussed with respect to the apparatus claims 8, 17 and 10-14.

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***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

6. Claim 15 is rejected under 35 U.S.C. 102(e) as being anticipated by Schelling et al. (US #5,706,097.)

Regarding claim 15, Schelling discloses in figure 3 a digital camera device (44) comprising a memory device (46) coupled to the digital camera device for storing sets of image data, each set of the image data having one or more media types associated therewith (Figs. 1, 3 & 4); a memory manager for allocating storage locations within the memory device to store the sets of image data (col. 3 line 1 to col. 4 line 7), the image data stored in a file format that includes the image data, a thumbnail image of the image data, and an information field for storing information regarding the image data, including the associated media types (col. 2 line 43 to col. 4 line 21); an interface (PC 50) coupled to the memory device for displaying a plurality of image cells corresponding to the image data (Figs. 1, 4 & 5, index images 12, 14, 16, 18) wherein at least one of the image cells includes an image area for displaying the thumbnail image of the corresponding image data (Figs. 1, 4 & 5, subject matter descriptor 13, thumbnail images 15 and 17), and an

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icon area for displaying additional information regarding the corresponding image data, including graphical icons indicating the media types associated with the captured image (Figs. 1, 4 & 5, index codes 20/24, type indicators 22/26/28/30, "S", "V", "J", "BV", "DV", "EV".)

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schelling et al. (US #5,706,097.)

Regarding claim 18, Schelling discloses that the plurality of media types includes a still image, a movie clip and sound (Schelling, col. 2 line 43 to col. 4 line 21.) Although Schelling does not explicitly disclose that the plurality of media types includes a burst image, a time lapse image and a panorama image, it would have been obvious to include the additional media types so as to convey additional information about the captured images to the operator.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1, 3-8, 10-18, filed on 3/9/98, have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. **Any response to this final action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications; please mark "EXPEDITED  
PROCEDURE")

**Or:**

(703) 308-5399 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).



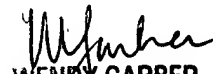
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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **N. Vu** whose telephone number is (703) 305-4946. The examiner can normally be reached on Mon - Fri from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
NYW  
6/9/98

  
**WENDY GARBER**  
**PRIMARY EXAMINER**